

tered and the court ordered that the product be released under bond, conditioned that 4 bags of the product which appeared to be badly damaged, be destroyed; that the contaminated portion of 6 other bags be segregated and destroyed; and that the remaining 26 bags and the salvaged portion of the 6 bags be repacked into new containers, under the supervision of the Food and Drug Administration.

## CHOCOLATE AND CANDY

### CHOCOLATE

**16310. Adulteration of chocolate liquor. U. S. v. 126 Cartons \* \* \*. (F. D. C. No. 28865. Sample No. 64054-K.)**

**LIBEL FILED:** February 21, 1950, District of Minnesota.

**ALLEGED SHIPMENT:** On or about October 13, 1947, from Fulton, N. Y.

**PRODUCT:** 126 Cartons, each containing 5 10-pound slabs, of chocolate liquor at St. Paul, Minn.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect fragments. The product was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** April 12, 1950. The Garrott Candy Co., St. Paul, Minn., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and reprocessing, under the supervision of the Food and Drug Administration. The chocolate was cleaned by scraping and brushing. Approximately 200 pounds of scrap chocolate were denatured.

### CANDY

**16311. Misbranding of candy. U. S. v. 16<sup>82</sup>/<sub>96</sub> Cases \* \* \*. (F. D. C. No. 28376. Sample No. 68401-K.)**

**LIBEL FILED:** December 22, 1949, Western District of Washington.

**ALLEGED SHIPMENT:** On or about October 31, 1949, by Garcia & O'Connell, Sebastopol, Calif.

**PRODUCT:** 16<sup>82</sup>/<sub>96</sub> cases, each full case containing 96 packages of candy at Seattle, Wash.

**LABEL, IN PART:** "Neat N' Sweet to Wear N' Eat Eaty-Beads \* \* \* Net Wt. 1<sup>3</sup>/<sub>4</sub> oz."

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product was food in package form, and it failed to bear a label containing an accurate statement of the quantity of the contents. (Examination showed that the product was short of the declared weight.)

**DISPOSITION:** May 25, 1950. A default decree of condemnation was entered. Accordingly, the court ordered that the product be delivered to a charitable institution.

**16312. Misbranding of candy. U. S. v. 10 Cases \* \* \*. (F. D. C. No. 29019. Sample No. 72566-K.)**

**LIBEL FILED:** March 24, 1950, Eastern District of Kentucky.

**ALLEGED SHIPMENT:** On or about January 7, 1950, by Bennett Candies, Inc., from Waco, Tex.